

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION

LARRY E. WOLFE,)	
)	
<i>Plaintiff,</i>)	Civil Action No. 3:08-cv-50111
)	
<i>v.</i>)	
)	District Judge Philip G. Reinhard
UNITED STATES OF AMERICA,)	
)	Magistrate Judge P. Michael Mahoney
<i>Defendant.</i>)	

MOTION TO DISMISS

The United States of America, substituted as the sole defendant in the above-titled action, moves for the entry of an order dismissing the above-titled action and for the entry of a judgment of dismissal. This motion is made upon the grounds that the action is barred by the sovereign immunity of the United States of America so that the district court is without subject-matter jurisdiction, and that plaintiff has failed to effect service of the summons and complaint.

A supporting memorandum of law is contemporaneously filed and served with this motion.

PATRICK J. FITZGERALD
United States Attorney

/s/ Gerald C. Miller
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CERTIFICATE OF SERVICE

I CERTIFY that on August 5, 2008, the above MOTION TO DISMISS was filed with the Court via the ECF system, and that service was made upon the plaintiff by depositing a copy in the United States mail, postage prepaid, addressed to him as follows:

Mr. Larry E. Wolfe
c/o General Delivery
Galt, Illinois 61037

In addition to mail service, a copy of the above motion will be hand-delivered to the plaintiff at the status conference in Rockford, Illinois, on Friday, August 8, 2008.

/s/ Gerald C. Miller

GERALD C. MILLER